

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:18-CR-00346-BSM

MARK GREGORY JACKSON, SR.

DEFENDANT

PRELIMINARY ORDER OF FORFEITURE

The United States' motion to preliminarily forfeit the \$616.32 seized from Mark Gregory Jackson, Sr. [Doc. No. 66] is granted.

After pleading guilty to conspiracy to commit wire fraud, a \$1,028,142.40 judgment was entered against Jackson for his ill-gotten gain. *See* Order of Forfeiture, Doc. No. 7 at ¶ 1. The United States has seized \$616.32 from Jackson's Social Security benefits ("the seized property") and is asking to forfeit the money in partial satisfaction of the judgment.

The United States is authorized to seize all property subject to forfeiture and to conduct discovery to identify, locate and/or dispose of it. Fed. R. Crim. P. 32.2(b)(3). The United States is also authorized to commence any applicable proceeding to comply with any law governing third party rights, and shall publish notice of this order and its intent to dispose of the property subject to forfeiture. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the property subject to forfeiture.

Any person, other than Jackson, asserting a legal interest in the property subject to forfeiture may request a hearing to adjudicate the validity of his or her interest in the

property. *See* 21 U.S.C. § 853(n)(2); 28 U.S.C. § 2461(c). This hearing request must be filed within thirty days of the final publication of notice or receipt of notice, whichever is earlier. 21 U.S.C. § 853(n)(2). A third party's hearing request must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

Discovery may be conducted according to the Federal Rules of Civil Procedure upon a showing that it is necessary, after Federal Rule of Criminal Procedure 32.2(c)(1)(A) motions have been resolved and before a hearing on the petition has been conducted. This order will become the final order of forfeiture if no third party files a timely claim. Fed. R. Crim. P. 32.2(c)(2).

The United States will have clear title to the property subject to forfeiture following the disposition of all third-party interests, or, if none, following the expiration of the period provided for the filing of third party petitions. Jurisdiction will be retained to amend and/or enforce this order. *See* Fed. R. Crim. P. 32.2(e).

IT IS SO ORDERED this 20th day of February, 2024.


UNITED STATES DISTRICT JUDGE